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# ARNOLD & PORTER LLP

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March 2, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Re: U.S. Patent Application Serial No. 10/767,701 filed January 29, 2004  
Inventors: David K. KOVALIC *et al.*  
Title: Nucleic Acid Molecules and Other Molecules Associated  
with Plants and Uses Thereof for Plant Improvement  
Atty. Dkt: 16517.311

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Preliminary Amendment; and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

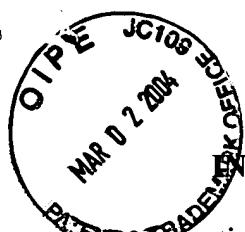
In the event that extensions of time beyond those petitioned for herewith are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any fees under 37 C.F.R. § 1.16 or § 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.311. A duplicate copy of this letter is enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read "Holly Logue Prutz".

David R. Marsh (Reg. No. 41,408)  
Holly Logue Prutz (Reg. No. 47,755)

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David K. KOVALIC *et al.*

Appln. No.: 10/767,701

Filed: January 29, 2004

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 16517.311

For: Nucleic Acid Molecules and Other Molecules Associated with Plants and Uses  
Thereof for Plant Improvement

**Preliminary Amendment**

**Mail Stop Non-Fee Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Prior to examination on the merits, applicants request the following amendments be made to the above-identified application.